

During this telephonic conversation and as per the written communication (sent on 11th May 2009) about the same, I wish to add the following.

1. The examiner has graciously accepted the applicant's arguments filed on 12/15/08, with respect to the claims and stated that the claims have been fully considered and are persuasive. The rejections, objections and other issues have been withdrawn. I wish to thank the examiner for accepting the arguments and withdrawing the objections and for accepting the claims.
2. A new rejection has been set forth as detailed below: "Claims 1-7 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 of U.S. Patent No. 6617354. Although the conflicting claims are not identical, they are not patentably distinct from each other because both instant invention and USPN '354 makes claim to be a method of treating cell proliferative disorder (cancer) with a composition comprising instant polyunsaturated fatty acid comprising preparing the lithium salt form of the polyunsaturated fatty acid with lymphographic agent plus an anti-angiogenic substance and then administering the composition to a mammal. The instant claims and USPN '354 claims differ in that instant claims make claim to intra-arterial injection of the composition, whereas USPN '354 claims make claim to parenteral administration (intra-muscular or intravenous). One having ordinary skill in the art would know that intra-muscular administration includes intra-arterial injection. Thus USPN '354 claims makes instant claims obvious".

To overcome this rejection, it has been suggested that a timely filed disclaimer in compliance with 37 CFR 1.321(c) or 1.321 (d) may be used to overcome an actual or provisional rejection based on nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

In compliance with this suggestion, I am here with enclosing the terminal disclaimer duly signed. I am also enclosing a check for US\$ 70.00 towards the fee for the same. Kindly accept the terminal disclaimer filed.

I wish to bring to the kind attention of the examiner that this patent application has been pending since 02/27/2002 and hence, an early issue of the patent will be greatly appreciated.

I am also enclosing a self-addressed stamped envelope containing a copy of this letter which can be duly stamped and returned to me as the acknowledgement of receipt of this response.

With regards,

Sincerely,


Undurti Narasimha Das

Inventor

Date: 3rd June 2009